



DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
33000 NIXIE WAY, BLDG 50 Suite 207
SAN DIEGO, CA 92147

5720
Ser BPMO.hmw/005
January 7, 2020

Mr. Christopher Roberts
San Francisco Public Press
288 Macon Street Level G
Brooklyn, NY 11216

Dear Mr. Roberts:

This correspondence is in regard to your Freedom of Information Act (FOIA) request of December 6, 2019, in which you seek the following:

All records related to scientific experiments involving human subjects, conducted at the US Naval Radiological Defense Laboratory (NRDL), which operated at the former US Navy Shipyard at Hunters Point in San Francisco, California, from 1946 until 1968, that has become an "agency record" held by the Navy since the publication of the Hunters Point Shipyard Final Historical Radiological Assessment.

Your request received by this office on December 9, 2019 and assigned file number DON-NAVY-2020-002564.

In accordance with 5 U.S.C. §552(a)(6)(B) and 32 C.F.R. §286.8(c), we have determined that we will be unable to provide a final determination on your request within the statutory 20 working day time limit due to unusual circumstances involved in responding to your request. The unusual circumstances include the following: the need to search for, collect and examine a voluminous amount of distinct records that are demanded by your request; and the need to consult among multiple components within the Department of the Navy that have a substantial subject matter interest in the documents you request. As such, we are extending our time to provide a final determination on your request by 10 working days.

Please be advised that fees associated with the processing of your request are waived in this instance.

Your FOIA request also included a request for expedited processing. Because you have not adequately supported the need for expedited processing in accordance with 32 C.F.R. § 286.8(e), your request is denied.

In view of the above, you may consider this to be an adverse determination that may be appealed. Since you have created an account in FOIA Online, you may submit an appeal directly within the web-based system. To do this, you would log in to your account, retrieve your original request, and then click on the "Create Appeal" tab in the left-hand column. The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to:

5720
Ser BPMO.hmw/005
January 7, 2020

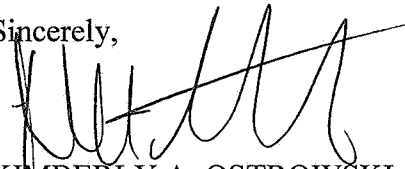
The Department of the Navy
Office of the General Counsel (ATTN: FOIA APPEALS)
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000

Your appeal, if any, must be transmitted (if appealing by FOIA Online) or postmarked (if appealing by mail) within 90 calendar days from the date of this letter. Please be advised that a FOIA requestor has the burden of proving timely submission of an appeal. Additionally, you must include in your appeal a statement indicating why you believe your appeal should be granted, and you are encouraged to also include a copy of your initial request and a copy of this letter.

You have the right to contact the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.A.Julka@navy.mil or 703-697-0031. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-01, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Any questions concerning this matter should be directed to Ms. Heather Wochnick who may be contacted at heather.wochnick@navy.mil or 619-524-4605.

Sincerely,



KIMBERLY A. OSTROWSKI
Director